

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b>
	<b>:</b>	<b>DATE FILED:</b>
<b>v.</b>	<b>:</b>	<b>VIOLATION:</b>
	<b>:</b>	<b>8 U.S.C. §§ 1326(a) and (b)(2)</b>
<b>FABIO GIL,</b>	<b>:</b>	<b>(illegal reentry after deportation - 1 count)</b>
<b>a/k/a Sandy Reyes,</b>	<b>:</b>	<b>Notice of prior conviction</b>
<b>a/k/a Jose Cuevas</b>	<b>:</b>	<b>Notice of additional factor</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about September 8, 2004, in the Eastern District of Pennsylvania,  
defendant

**FABIO GIL,  
a/k/a Sandy Reyes,  
a/k/a Jose Cuevas,**

an alien who had previously been deported from the United States on or about October 4, 2000,  
was found in the United States, having knowingly and unlawfully re-entered the United States  
without first applying to the Attorney General of the United States or his successor, the Secretary  
for Homeland Security (Title 6, United States Code, Sections 202(3), (4) and 557), for  
permission to reapply for admission, and without receiving in response the express consent of the  
Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Section 1326(a), (b)(2).

**NOTICE OF PRIOR CONVICTION**

**THE GRAND JURY FURTHER CHARGES THAT:**

Defendant **FABIO GIL, a/k/a Sandy Reyes, a/k/a Jose Cuevas**, committed the offense charged in Count One of this indictment after having been convicted of the following felony offense:

On or about March 3, 1999, in the Court of Common Pleas, County of Philadelphia, the defendant was convicted of criminal conspiracy and of manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance. For this conviction, the defendant received a sentence of three years probation.

**NOTICE OF ADDITIONAL FACTOR**

**THE GRAND JURY FURTHER CHARGES THAT:**

Prior to committing the offense charged in Count One of this indictment, the defendant **FABIO GIL, a/k/a Sandy Reyes, a/k/a Jose Cuevas**, was previously deported from the United States after conviction for a felony drug trafficking offense for which the sentence imposed was 13 months or less, as described in U.S.S.G. § 2L1.2(b)(1)(B).

**A TRUE BILL:**

**FOREPERSON**

**PATRICK L. MEEHAN**  
**United States Attorney**